

October 26, 2004

AN ORDINANCE

04- 0 -2047

BY: CITY UTILITIES COMMITTEE

AN ORDINANCE TO ABANDON THAT PORTION OF PALMER STREET, SE LOCATED FROM PASLEY AVENUE TO THE EASTERN END OF STREET CONSISTING OF .255 ACRES, MORE OR LESS, AND BEING MORE SPECIFICALLY DESCRIBED IN THE ATTACHED EXHIBIT "A" LYING AND BEING IN LAND LOT 175 OF THE .15TH DISTRICT, DEKALB COUNTY, GEORGIA AND FOR OTHER PURPOSES.

WHEREAS, the City of Atlanta has received a formal request from the abutting property owner, to abandon a portion of PALMER STREET, SE for the purpose of using the property for their own private use; and

WHEREAS, the request to abandon said street has been reviewed by the proper city agencies and by all public utilities prior to passage of the legislation; and

WHEREAS, the abandoned right-of-way will become part of the abutting owner's private property and will be their responsibility to maintain, operate, and provide all services and utilities; and

WHEREAS, the abutting property owner has agreed to acquire said street from the City of Atlanta for the appraised fair market value; and

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF ATLANTA, as follows:

<u>SECTION 1.</u> That the portion of PALMER STREET, SE located from Pasley Avenue to the Eastern end of street consisting of .255 acres, more or less, and being more specifically described in the attached exhibit "A" lying and being in Land Lot 175 of the 15th District, DeKalb County, Georgia the same is hereby declared no longer useful or necessary for the public's use and convenience.

<u>SECTION 2.</u> That the City's intent is hereby given to abandon said street.

<u>SECTION 3.</u> That the abutting property owner's have agreed to pay the fair market value of the abandoned street as determined by the appraisal of said street.



<u>SECTION 4.</u> That any and all reservations for existing public or private utility easements shall remain in effect for the purpose of entering the property to operate, maintain, or replace said utility facilities. These easements shall remain in effect until such time that said utilities are abandoned, removed, or relocated, at which time said easements shall expire.

<u>SECTION 5</u>. That the Chief Procurement Officer be and is hereby authorized to appraise said street to determine their fair market land value.

<u>SECTION 6.</u> That all costs associated with the appraisal report shall be charged to and paid from Account Number 3P02 524001 M22F03349999.

<u>SECTION 7.</u> That the Mayor be and is hereby authorized to execute a quitclaim deed to said street.

<u>SECTION 8.</u> That all ordinance and parts of ordinances in conflict herewith be and the same are hereby repealed.

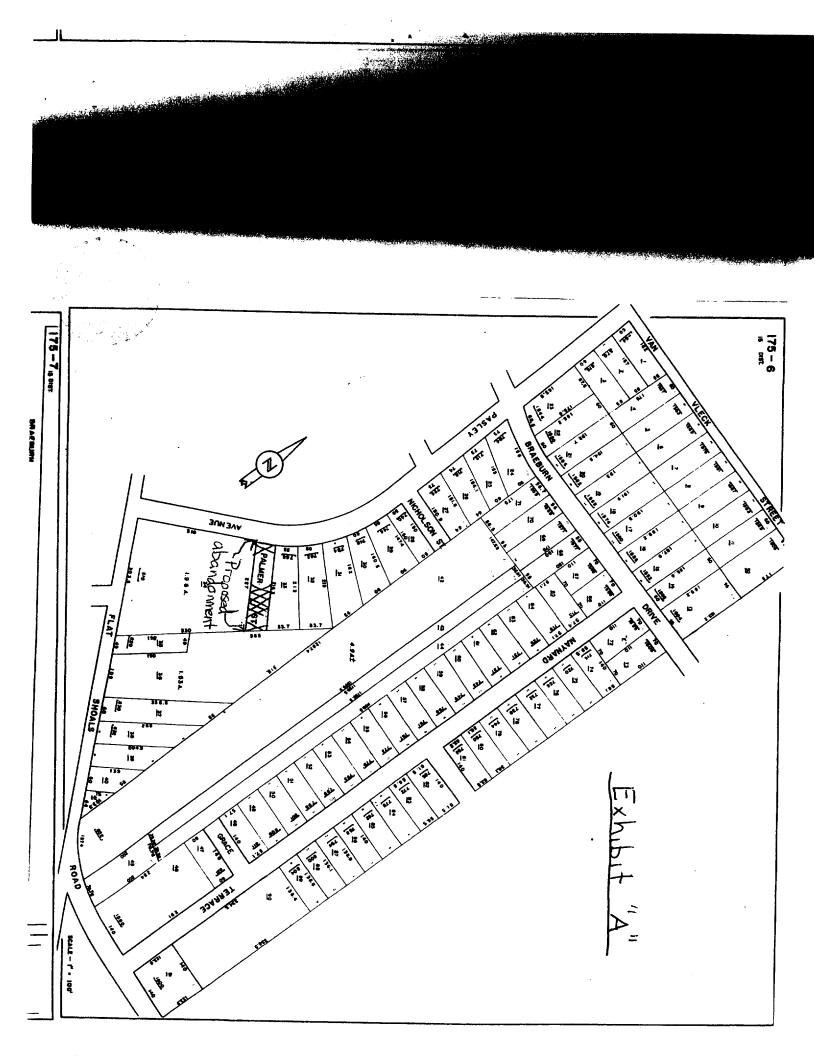
A true copy,

A true copy,

ADOPTED by the Council APPROVED by the Mayor

Municipal Clerk, CMC

DEC 06, 2004 DEC 10, 2004

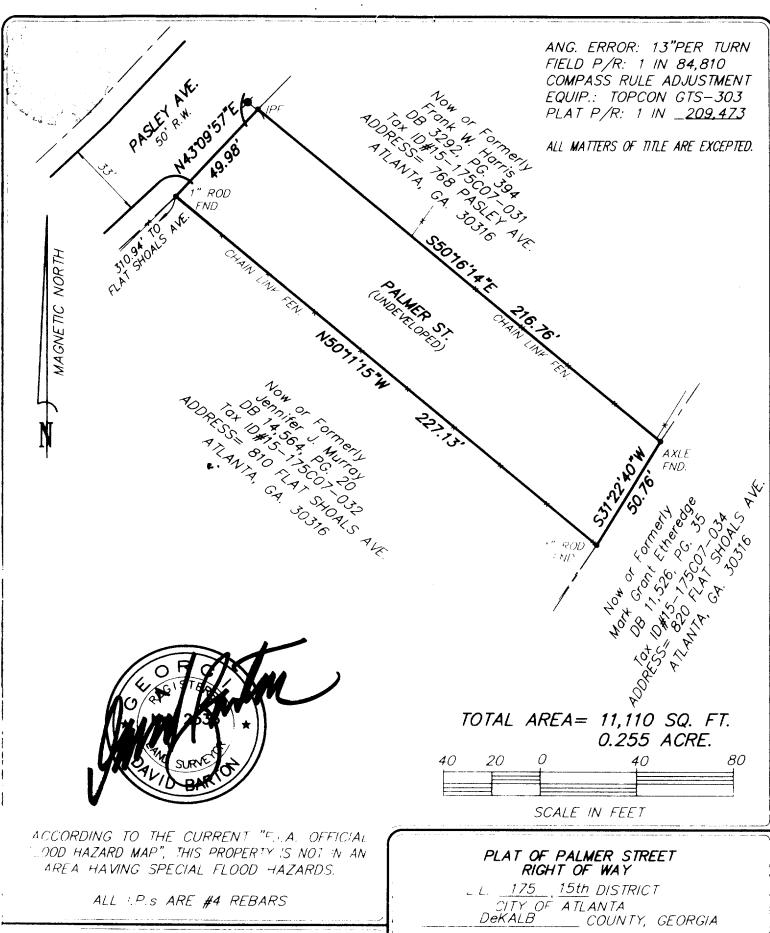


Written Description - Palmer Street Right of Way

All that tract of parcel of land lying and being in Land Lot 175, 15th District, City of Atlanta, Dekalb County, Georgia, and being more particularly described as follows:

BEGINNING at an iron pin on the southeasterly right of way of Pasley Avenue (50 foot right of way), said iron pin being 310.94 feet northeasterly, as measured along said right of way of Pasley Avenue from the intersection of said right of way of Pasley Avenue and the northeasterly right of way of Flat Shoals Avenue (50 foot right of way); run thence along said right of way of Pasley Avenue N 43 09'57" E 49.98 feet to an iron pin; thence S 50 16'14"E 216.76 feet to an axle; thence S 31 22'40"W 50.76 feet to an iron pin; thence N 50 11'15"W 227.13 feet to the POINT OF BEGINNING. Said tract contains 0.255 acres, and is more fully shown on a "Plat of Palmer Street Right of Way" by Barton Surveying, Inc. dated January 15, 2004.

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BARTON SURVEYING, INC.

1500 PALM ROAD CANTON, GEORGIA 30115 1770) 345—2810 DATE: 1-15-04 SCALE: 1"= 40'

MADE FOR **JENNIFER MURRAY & MARC DOBIECKI**

Atlanta City Council

Regular Session

CONSENT I PG(S) 5-25 EXCEPT 04-0-2102 04-R-2231 04-R-2224 04-R-2203 ADOPT

YEAS: 13
NAYS: 0
ABSTENTIONS: 0
NOT VOTING: 3
EXCUSED: 0
ABSENT 0

Y Smith Y Archibong Y Moore Y Mitchell Y Starnes Y Fauver Y Martin NV Norwood Y Young Y Shook Y Maddox NV Willis Y Winslow Y Muller Y Sheperd NV Borders

			12-06-04 Council
ITEMS	ITEMS	ITEMS	Meeting ITEMS
ADOPTED ON	ADOPTED ON	ADOPTED ON	ADOPTED ON
CONSENT	CONSENT	CONSENT	CONSENT
1. 04-O-2043	42. 04-R-2128	83. 04-R-2186	104. 04-O-1989
2. 04-O-2044	43. 04-R-2129	84. 04-R-2187	104. 04-O-1989 105. 04-O-1990
3. 04-O-2045	44. 04-R-2130	85. 04-R-2188	106. 04-O-1991
4. 04-O-2046	45. 04-R-2131	86. 04-R-2189	107. 04-O-1992
5. 04-O-2098	46. 04-R-2132	87. 04-R-2199	108. 04-O-1993
6. 04-O-2099	47. 04-R-2209	88. 04-R-2200	109. 04-O-1994
7. 04-O-2100	48. 04-R-2210	89. 04-R-2201	110. 04-O-1995
8. 04-O-2110	49. 04-R-2211	Items	111. 04-O-1996
9. 04-O-2115	50. 04-R-2212	Adversed on	112. 04-O-1997
10. 04-O-1434	51. 04-R-2214	Consent	113. 04-O-2054
11. 04-O-1927	52. 04-R-2215	90. 04-R-2178	114. 04-O-2055
12. 04-O-1120	53. 04-R-2084	91. 04-R-2179	115. 04-O-2057
13. 04-O-1972	54. 04-R-2150	92. 04-R-2180	116. 04-O-2059
14. 04-O-2047	55. 04-R-2151	93. 04-R-2181	117. 04-O-2116
15. 04-O-0649	56. 04-R-2152	94. 04-R-2182	118. 03-R-1387
16. 04-O-1753	57. 04-R-2155	95. 04-R-2183	119. 04-R-2120
17. 04-O-1802	58. 04-R-2133	96. 04-R-2184	120. 04-R-2136
18. 04-O-1823	59. 04-R-2134	97. 04-R-2190	121. 04-R-2137
19. 04-O-2050	60. 04-R-2202	98. 04-R-2191	122. 04-R-2140
20. 04-O-2051	61. 04-R-2205	99. 04-R-2192	123. 04-R-2141
21. 04-O-2052	62. 04-R-2206	100. 04-R-2193	124. 04-R-2142
22. 04-O-2053	63. 04-R-2158	101. 04-R-2194	125. 04-R-2143
23. 04-O-2061	64. 04-R-2159	102. 04-R-2195	126. 04-R-2144
24. 04-O-2086	65. 04-R-2160	103. 04-R-2196	127. 04-R-2216
25. 04-O-2087	66. 04-R-2161		128. 04-R-2220
26. 04-O-2021	67. 04-R-2162		129. 04-R-2221
27. 04-O-2049	68. 04-R-2163		
28. 04-R-2145	69. 04-R-2164		
29. 04-R-2146	70. 04-R-2165		
30. 04-R-2147	71. 04-R-2166		
31. 04-R-2148	72. 04-R-2167		
32. 04-R-2149	73. 04-R-2168		
33. 04-R-2204	74. 04-R-2169		
34. 04-R-1970	75. 04-R-2170		
35. 04-R-2121	76. 04-R-2171		
36. 04-R-2122	77. 04-R-2172		
37. 04-R-2123	78. 04-R-2173		
38. 04-R-2124	79. 04-R-2174		
39. 04-R-2125	80. 04-R-2175		
40. 04-R-2126	81. 04-R-2176		
41. 04-R-2127	82. 04-R-2177		

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	Chair	, Chair	CONCENT BEEFR
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	Action	1+ Chart V	BY: CITY UTILITIES COMMITTEE
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CERTIFIED	Committee	Constituted The	
Consent DV Vote CAC Vote		Referred to	(Do Not With Above 204 70)
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